

MINUTES OF THE PUBLIC MEETING OF THE UTAH COUNTY COMMISSION JANUARY 26, 2015 IN THE COMMISSION CONFERENCE ROOM OF THE COUNTY BUILDING AT 152 EAST 100 NORTH, VERNAL, UTAH. MEETING COMMENCED AT 11:01 AM.

PARTICIPANTS: COMMISSIONERS MARK RAYMOND, BILL STRINGER, AND MICHAEL MCKEE.

ATTENDANCE: TAL EHLERS, REX JENNINGS, STEVEN SROKA, SAM PASSEY, KRISTEN BAUMGARTEN, AMBER WILLIAMS, RICK BELL, DEAN SURPLUS, RICHELLE SURPLUS, MICHAEL WILKINS, R STRICKLAND, BRENDA RUNYON, DAN RUNYAN, MCCOY ANDERSON, STEPHANIE ANDERSON, TYLER PRATT, CHERYL STOCKS, MARY BERNARD, YVONNE GARDNER, GREG GARDNER, BOYD KITCHEN, KIMBERLY KARREN, CARMA SLAUGH CEPP, WHITNEY SZABO, CRISTY DAVIS, GREG GILROY, JEREMY RAYMOND, ROBIN O'DRISCOLL, WENDI LONG, SUZANNE PREVEDEL, TROY OSTLER, AND JON STEARMER.

PRAYER GIVEN BY BOYD KITCHEN

PLEDGE OF ALLEGIANCE LED BY TAL EHLERS

REGULAR COMMISSION MINUTES JANUARY 12, 2015 WERE APPROVED AS PRESENTED.

SPECIAL CLOSED SESSION MINUTES JANUARY 6, 2015, JANUARY 14, 2015, AND JANUARY 20, 2015 WERE APPROVED AS PRESENTED.

COMMISSIONER RAYMOND EXPLAINED AS THE PUBLIC LANDS INITIATIVE IS BEING PROCESSED THERE ARE DISCUSSIONS WITH THE ATTORNEYS AND GIS ADDRESSING THE MANY COMMENTS RECEIVED BY CONSTITUENTS AND SPECIAL INTEREST GROUPS. THESE CLOSED SESSIONS FOCUSED ON RS 2477 LITIGATION REGARDING ROADS.

WARRANTS DATED JANUARY 22, 2015 IN THE AMOUNT OF \$673,192.03 AND DATED JANUARY 15, 2015 IN THE AMOUNT OF \$2,997,963.91 WERE APPROVED AS PRESENTED.

TAX MATTERS: NONE

BUSINESS LICENSES: ROBERT BARNHILL

SPOTLESS LIVING OWNED BY JENNIFER BENNION LOCATED AT 1815 NORTH 1450 EAST IN RA-1 ZONING. THIS IS A HOME BASED BUSINESS FOR RESIDENTIAL AND COMMERCIAL CLEANING, GENERAL JANITORIAL SERVICES. APPROVAL RECOMMENDED WITH THE CONDITIONS TO FOLLOW ALL RA-1 ZONING AND HOME BUSINESS REGULATIONS.

LIEBHARDTS DIRT ROAD TRANSPORT, INC OWNED BY KODA LIEBHARDT LOCATED AT 3704 EAST 2250 SOUTH IN A-1 ZONING. HE HAULS OIL FIELD EQUIPMENT INCLUDING CRUDE OIL. HE HAS APPLIED FOR A TRUCK PARKING PERMIT AT THE RESIDENCE BUT IT HAS NOT YET BEEN SIGNED. EVERYTHING ELSE IS IN ORDER. APPROVAL RECOMMENDED WITH THE CONDITIONS TO FOLLOW ALL A-1 ZONING AND HOME BUSINESS REGULATIONS.

ROCKY MOUNTAIN HOMES OWNED BY CURT SMUIN LOCATED AT 4762 SOUTH VERNAL AVENUE IN C-1 ZONING. THIS IS A MODULAR AND MANUFACTURED HOME SALES BUSINESS THAT HAS RECENTLY MOVED OUT OF CITY LIMITS. THEY HAVE RECEIVED SIGNATURES FROM THE VARIOUS DEPARTMENTS. APPROVAL RECOMMENDED WITH THE CONDITIONS TO FOLLOW ALL C-1 ZONING REGULATIONS.

COMMISSIONER RAYMOND MOVED TO APPROVE THE BUSINESS LICENSES WITH THEIR APPROPRIATE CONDITIONS AS PRESENTED. COMMISSIONER STRINGER SECONDED. MOTION PASSED UNANIMOUSLY.

CEMETERY CERTIFICATES: NONE

CONSIDERATION OF RENEWAL OF THE CAN-DO-CREW CONTRACTS FOR THE LIBRARY RECYCLING AND AIRPORT:

MICHAEL WILKINS PRESENTED THREE DIFFERENT CONTRACTS FOR RENEWAL. THE CAN-DO-CREW PROVIDES JANITORIAL SERVICES AT THE LIBRARY AND THE AIRPORT AND RECYCLING SERVICES AT THE COUNTY BUILDING. ALL THREE ARE EFFECTIVE JANUARY 1, 2015.

COMMISSIONER STRINGER MOVED TO APPROVE THE CAN-DO-CREW CONTRACTS AS PRESENTED. COMMISSIONER RAYMOND SECONDED. MOTION PASSED UNANIMOUSLY.

ED ZURBUCHEN NOTED HOW MUCH HE APPRECIATES THE CAN-DO-CREW AND THE COUNTY'S SUPPORT OF THEIR PROGRAM. A ROUND OF APPLAUSE FOR THE CREW.

REQUEST TO PUT AN INTERNET TOWER ON COUNTY PROPERTY AT THE LANDFILL

REX JENNINGS LED THE DISCUSSION. THIS IS A 65 FOOT TOWER FOR INTERNET ONLY. IT WILL RESULT IN BETTER COVERAGE FOR THE AREA INCLUDING THOSE THAT DO NOT HAVE LANDLINES.

MATT CAZIER NOTED HE SPOKE WITH AN INDIVIDUAL ABOUT IT IN THE OFFICE. A CONDITIONAL USE PERMIT WILL BE REQUIRED FOR THE TOWER. REX JENNINGS REPLIED THAT WOULD NOT BE A PROBLEM.

COMMISSIONER STRINGER ASKED IF THE LOCATION WAS A PART OF THE BLM RMPP LEASE OR THE PATENT. AS THE TOWER WILL PROVIDE WIFI TO THE LANDFILL IT WILL BE CONSIDERED A CONSISTENT USE FOR THE PROPERTY. IT WILL BE A GOOD IDEA TO DOUBLE CHECK WITH THE BLM AND AT LEAST INFORM THEM.

COMMISSIONER STRINGER MOVED TO APPROVE THE LEASE AGREEMENT FOR THE INTERNET TOWER, CHECK WITH THE BLM AND A CUP MUST BE OBTAINED. COMMISSIONER RAYMOND SECONDED.

JON STEARMER NOTED THE COMMISSIONERS WERE WELCOME TO ADD THESE STIPULATIONS TO THE MOTION BUT APPROVING THE LEASE AGREEMENT WOULD TAKE CARE OF THESE CONDITIONS. THE LEASE ITSELF IS SUBJECT TO ALL LOCAL, STATE, AND FEDERAL LAWS.

ED ZURBUCHEN ASKED WHERE THE TOWER WOULD BE PLACED. IT WILL BE 75 FEET FROM THE NEW MAIN BUILDING, AWAY FROM THE MAIN ENTRANCE.

COMMISSIONER MCKEE CALLED FOR A VOTE. MOTION PASSED UNANIMOUSLY.

UTAH STATE UNIVERSITY EXTENSION COOPERATIVE AGREEMENT – BOYD KITCHEN

THIS AGREEMENT HAS BEEN RENEWED ANNUALLY FOR MANY YEARS. IT ALLOWS THE UNIVERSITY AND THE COUNTY TO WORK TOGETHER TO PROVIDE EXTENSION SERVICES INCLUDING THE 4-H PROGRAM. THE AGREEMENT HAS BEEN REVIEWED. ED ZURBUCHEN ASKED FOR ADDITIONAL INFORMATION ABOUT THE SERVICES. COMMISSIONER RAYMOND REPLIED THE EXTENSION OFFICE PROVIDES MANY USEFUL SERVICES. THEY ARE HEAVILY INVOLVED WITH THE UINTAH BASIN LIVESTOCK SHOW AND THE FAIR. THE COUNTY PROVIDES OFFICE SPACE AND FUNDING FOR A FULL TIME EMPLOYEE.

COMMISSIONER RAYMOND MOVED TO APPROVE THE COOPERATIVE AGREEMENT AS PRESENTED. COMMISSIONER STRINGER SECONDED. MOTION PASSED UNANIMOUSLY.

ACCEPTANCE OF ADDITIONAL FUNDS FOR 2015 CITIZEN CORP CONFERENCE – TAL EHLERS

A \$3000.00 GRANT FROM THE STATE DIVISION OF EMERGENCY MANAGEMENT WAS ACCEPTED ABOUT A MONTH AGO. SINCE THEN A STATE WIDE MEETING WAS CANCELED AND THE FUNDS SET ASIDE FOR THAT MEETING HAVE BEEN DIVIDED AMONG THE SEVEN STATE REGIONS. OUR REGION RECEIVED AN ADDITIONAL \$1000.00.

COMMISSIONER STRINGER MOVED TO ACCEPT THE ADDITIONAL FUNDS AS PRESENTED. COMMISSIONER RAYMOND SECONDED. MOTION PASSED UNANIMOUSLY.

CONSIDERATION OF CONTRACT BETWEEN THE VERNAL REGIONAL AIRPORT AND WESTERN FENCE CO. FOR THE PERIMETER FENCING PROJECT

THIS HAS PREVIOUSLY BEEN APPROVED AND IS STRICKEN FROM THE AGENDA.

RESOLUTION #01-26-2015 R1: ADOPTION OF CLASS 1B PAVED COUNTY ROADS IN MAYFAIR MEADOWS PHASE 4

JON STEARMER NOTED THESE ROADS ARE ACCEPTABLE TO BE ADDED TO THE TRANSPORTATION SYSTEM. MATT CAZIER ADDED THE ROADS WERE FORMALLY ACCEPTED LAST YEAR AND HE DID NOT GET THE INFORMATION TO GIS IN ORDER TO GET IT ADDED TO THE TRANSPORTATION SYSTEM MAP. THEY ALL MEET THE STANDARDS AND ARE UNDER THE TWO YEAR WARRANTY.

COMMISSIONER RAYMOND MOVED TO APPROVE RESOLUTION #01-26-2015 R1 AS PRESENTED. COMMISSIONER STRINGER SECONDED. MOTION PASSED UNANIMOUSLY.

RESOLUTION #01-26-2015 R2: ADOPTION OF RECLASSIFICATION OF ROAD IN T10S R20 E SECTION 15 SLM

JON STEARMER BEGAN THE DISCUSSION. THE MAP LISTS THIS ROAD AS TRIBAL BUT IT SHOULD BE LISTED AS A 1-B GRAVEL. THERE ARE A NUMBER OF ROADS ON TRIBAL PROPERTY THAT THE COUNTY HAS DEEDED RIGHTS-OF-WAY FOR.

COMMISSIONER STRINGER MOVED TO APPROVE RESOLUTION #01-26-2015 R2 AS PRESENTED. COMMISSIONER RAYMOND SECONDED. MOTION PASSED UNANIMOUSLY.

RESOLUTION #01-26-2015 R3: ADOPTION OF RECLASSIFICATION OF A PORTION OF 7000 S FROM CLASS D TO CLASS 1-B GRAVEL

JON STEARMER ALSO LED THIS DISCUSSION. THIS IS A ROAD ON THE NORTH SIDE OF PELICAN LAKE WHERE HIGHWAY 88 CURVES AROUND THE EAST SIDE OF PELICAN LAKE. A COMPANY HAS UPGRADED IT ACCORDING TO A ROAD MAINTENANCE AGREEMENT TO ACCOMMODATE HEAVY TRUCK TRAFFIC. THE WORK IS DONE AND THE CLASSIFICATION CAN BE UPDATED.

COMMISSIONER RAYMOND MOVED TO APPROVE RESOLUTION #01-26-2015 R3 AS PRESENTED. COMMISSIONER STRINGER SECONDED. MOTION PASSED UNANIMOUSLY.

JON STEARMER ALSO NOTED THESE ARE THE LAST REVISIONS AND THE FORMAL ADOPTION OF THE 2014 MAP SHOULD FOLLOW SOON.

COMMUNITY DEVELOPMENT:

PUBLIC HEARING: AGRICULTURAL PROTECTION

1. WAYNE & GENEVIEVE JONES, RICKIE & JENNIFER BELL, & BRYON & JESSICA ELISE – REQUESTING AN AGRICULTURAL PROTECTION AREA FOR PROPERTIES LOCATED AT APPROXIMATELY 3000 WEST 1000 SOUTH, VERNAL, UTAH; SERIAL NUMBERS 05:086:0007, 05:085:0030, 05:085:0031, 05:0850029, 05:086:0024 & 05:085:0028.

AGRICULTURAL USES INCLUDE RAISING ALFALFA, CHICKENS, HOGS, AND COWS. THERE ARE SIX PARCELS ADDING UP TO 65 ACRES ZONED RA-1. THE PLANNING COMMISSION AND THE SOIL CONSERVATION DISTRICT HAVE BOTH RECOMMENDED APPROVAL. THERE ARE A FEW HOMES AND OTHER BUILDINGS ON THE PROPERTIES AND ARE ALLOWED UNDER THE PROTECTION ZONE AS THEY ARE NOT THE MAIN USE OF THE PROPERTIES. ALL THE PROPERTY OWNERS WITHIN THE PROPOSED PROTECTION ZONE HAVE SIGNED OFF AND HAVE BEEN NOTIFIED OF PROCEEDINGS. ANY AGRICULTURAL PROTECTION ZONE MUST HAVE A MINIMUM OF 20 ACRES.

COMMISSIONER MCKEE ASKED FOR PUBLIC COMMENT AS THIS IS A PUBLIC HEARING.

JEREMY RAYMOND ASKED FOR MORE DETAILS ABOUT HOW THE PROTECTION ZONE WOULD AFFECT THE SURROUNDING PROPERTIES AND ANY PROPERTY WITHIN THE ZONE SOLD IN THE FUTURE.

COMMISSIONER MCKEE RESPONDED, THE STATE APPROVED THIS LEGISLATION SIMPLY TO FOREWARN PROPERTY OWNERS THAT AGRICULTURAL ACTIVITIES WERE GOING ON IN THE PROTECTION ZONE. THERE WILL BE SIGHTS, SOUNDS, AND SMELLS ASSOCIATED WITH AGRICULTURAL USE. THIS INDICATION IS ON THE PLAT MAP SO SURROUNDING PROPERTIES BEING DEVELOPED AND OR SOLD ARE INFORMED FROM THE BEGINNING. IF SOMEONE WITHIN THE ZONE WANTED TO REMOVE THEMSELVES FROM THE PROTECTION ZONE THEY COULD REQUEST REMOVAL.

THERE WERE NO OTHER COMMENTS.

COMMISSIONER STRINGER MOVED TO APPROVE THE AGRICULTURAL PROTECTION ZONE AS PRESENTED. COMMISSIONER RAYMOND SECONDED. MOTION PASSED UNANIMOUSLY.

REZONE

2. ROBERT STRICKLAND – REQUESTING A REZONE ON PROPERTY OWNED BY RYAN AND JOLYNN RUNOLFSON, AT 873 WEST 2500 SOUTH, VERNAL, UTAH; SERIAL NUMBER 06:024:0216, FROM A-1 AGRICULTURAL TO R-1 RESIDENTIAL.

THIS APPLICATION WAS WITHDRAWN AND STRICKEN FROM THE AGENDA. THE ASSOCIATED SUBDIVISION APPLICATION HAD BEEN TABLED AT THE PLANNING COMMISSION MEETING AND WILL BE ADDRESSED BY THEM AGAIN FEBRUARY 18TH. THE COMMISSIONERS WILL NOT BE ADDRESSING THE ITEMS AT TODAY'S MEETING.

ITEMS 3 AND 4 CAN BE DISCUSSED TOGETHER.

3. TYLER PRAT – HIGH VOLTAGE HOLDINGS – REQUESTING A REZONE ON PROPERTY AT 871 EAST MAIN STREET, VERNAL, UTAH; SERIAL NUMBER 05:038:0014, FROM C-1 COMMERCIAL TO C-2 COMMERCIAL.

THIS PARCEL IS THREE ACRES. IT IS NORTH, BEHIND THE PINK DINOSAUR, AS HIGHWAY 40 SEPARATES FROM MAIN STREET AND CURVES TO THE SOUTH TOWARDS NAPLES. THE TWO PARCELS DIRECTLY EAST OF THE PARCEL IN QUESTION ARE OWNED BY TYLER PRATT AS WELL AND WERE REZONED TO C-2 LAST YEAR. THERE ARE PLANNED COMMERCIAL ZONES TO THE NORTH AND INDUSTRIAL TO THE SOUTH. THESE PARCELS ARE ALONG THE VERNAL CITY BOUNDARY. VERNAL CITY WAS INFORMED OF THE REQUEST BUT HAS NOT RESPONDED. A PORTION OF THE PINK DINOSAUR IS IN UTAH COUNTY AND THE REST WITHIN VERNAL CITY. VERNAL CITY HAS THE EASEMENTS IN PLACE TO MAINTAIN THE AREA AROUND THE PINK DINOSAUR. PLANNING COMMISSION HELD A PUBLIC HEARING AND RECOMMENDED APPROVAL OF THE REZONE UNANIMOUSLY AND DID NOT HEAR ANY PUBLIC COMMENTS.

COMMISSIONER RAYMOND MOVED TO APPROVE THE REZONE AS PRESENTED. COMMISSIONER STRINGER SECONDED. MOTION PASSED UNANIMOUSLY.

CONDITIONAL USE PERMIT

4. TYLER PRAT – HIGH VOLTAGE HOLDINGS – A CUP FOR COMMERCIAL VEHICLE PARKING ALONG WITH OUTSIDE STORAGE ON PROPERTY LOCATED AT 871 EAST MAIN STREET, VERNAL, UTAH; SERIAL NUMBER 05:038:0014.

THE TWO PARCELS TO THE EAST ALSO HAVE APPROVED CUP'S FOR PARKING AND STORAGE FROM LAST YEAR. THE SITE PLAN AT THAT TIME WAS TO HAVE THE STORAGE AND PARKING IN THE NORTH PORTION OF THE PARCELS.

TYLER PRATT CAME FORWARD TO ANSWER ANY QUESTIONS. AFTER THE APPROVALS LAST YEAR, GREG MCKENZIE APPROACHED HIM AND ASKED IF HE WOULD LIKE TO PURCHASE THE PARCEL IN QUESTION. THIS PURCHASE HAS BEEN FINALIZED AND HAS CHANGED SOME OF THE PLANS A BIT. LAST YEAR THEY PLANNED TO BUILD THE SHOP ON THE SOUTH PORTION OF THE TWO EASTERN PARCELS. WITH THE ADDITION OF THIS PARCEL, THEY WILL BUILD THE SHOP ON IT ON THE SOUTH

END AND HAVE PARKING AND STORAGE TO THE NORTH. THE SHOP IS MOSTLY FOR OFFICE SPACE AND REGULAR REPAIR AND MAINTENANCE OF THE EQUIPMENT. EMPLOYEES WILL BE PARKING HERE BUT ANY COMMERCIAL TRUCKS AND EQUIPMENT THAT IS NOT OUT WORKING WILL BE PARKED ON THE NORTH END.

COMMISSIONER RAYMOND NOTED HIS BROTHER IN LAW IS GREG MCKENZIE. HOWEVER, SINCE THE PURCHASE TRANSACTION IS COMPLETE, THERE IS NOT CONFLICT OF INTEREST. HE ALSO NOTED TYLER PRATT SHOULD KEEP IN MIND WITH THE PARKING AND STORAGE THAT MANY STOP TO TAKE PICTURES WITH THE PINK DINOSAUR. COMMISSIONER STRINGER AGREED THE YARD SHOULD REMAIN AS VISUALLY APPEALING AS POSSIBLE.

MATT CAZIER NOTED PLANNING COMMISSION RECOMMENDED APPROVAL, UNANIMOUSLY, WITH THE CONDITIONS TO FOLLOW ALL CUP REGULATIONS, FOLLOW ALL SITE PLAN AND BUILDING REGULATIONS, AND ALLOW PARKING FOR UP TO FOUR COMMERCIAL VEHICLES. THERE ARE REQUIREMENTS REGARDING THE APPEARANCE. FOUR IS THE MAXIMUM PARKING WITHIN THE C-2 ZONE. THE OTHER TWO PARCELS WILL EACH ALLOW PARKING FOR UP TO FOUR COMMERCIAL VEHICLES, SO LONG AS THEY ARE NOT COMBINED.

COMMISSIONER STRINGER MOVED TO APPROVE THE CUP WITH THE RECOMMENDED CONDITIONS AS PRESENTED AND WITH THE UNDERSTANDING THAT INDUSTRIAL EQUIPMENT BE STORED OR PARKED ON THE NORTH END OF THE PROPERTY. COMMISSIONER RAYMOND SECONDED. MOTION PASSED UNANIMOUSLY.

5. CRESCENT POINT ENERGY – A CUP FOR THE CONVERSION AND OPERATION OF THE ULT 11-5-4-2 TO A SALT WATER DISPOSAL FACILITY ON PROPERTY OWNED BY UTAH LAND TRUST, LOCATED AT 9500 S FD CARPENTER RANCH ROAD, UTAH COUNTY, UTAH; SERIAL NUMBER 16:027:0002.

THIS IS JUST EAST OF LELAND BENCH. THEY WILL BE USING 3.6 ACRES IN THE NORTH EAST CORNER OF THE SECTION. THERE WILL BE A SERIES OF TANKS, NO OPEN PONDS OR PITS, USED TO SKIM AND CLEAN THE PRODUCTION WATER. THE CLEAN WATER IS THEN INJECTED BACK INTO THE GROUND AT APPROXIMATELY 3600 FEET. PLANNING COMMISSION DID NOT HEAR ANY PUBLIC COMMENTS AND RECOMMENDED APPROVAL WITH THE CONDITIONS TO FOLLOW ALL CUP REGULATIONS AND OBTAIN THE PROPER STATE APPROVALS.

WHITNEY SZABO WAS AVAILABLE FOR ANY QUESTIONS AND CONFIRMED THIS WAS AN INJECTION PLAN SENDING PRODUCTION WATER THROUGH A SERIES OF FILTRATION. THERE ISN'T ANY ELECTRICITY IN THE AREA SO THE SYSTEM WILL RUN OFF THE BURNING OF GAS. COMMISSIONER MCKEE NOTED THIS IS IN THE STATE AIR SHED AREA AND INJECTION IS MORE ENVIRONMENTALLY FRIENDLY.

COMMISSIONER RAYMOND MOVED TO APPROVE THE CUP WITH THE RECOMMENDED CONDITIONS AS PRESENTED. COMMISSIONER STRINGER SECONDED. MOTION PASSED UNANIMOUSLY.

5. CODY BULLOCK - REQUESTING A DECISION ON A CUP FOR A SAND BLASTING BUSINESS WITH OUTSIDE STORAGE, INCLUDING COMMERCIAL TRUCK PARKING FOR UP TO 4 TRUCKS AND 4 TRAILERS ON PROPERTY OWNED BY BULLOCK BLAST & COAT INC., LOCATED AT 8700 EAST, 2800 SOUTH, JENSEN, UTAH; SERIAL NUMBER 06:084:0050.

THIS PARCEL IS 3.44 ACRES WEST OF THE NATIONAL MONUMENT ROAD AND ABOUT TWO AND A HALF MILES NORTH OF HIGHWAY 40. BULLOCK ALSO OWNS 70 ACRES AROUND THE PARCEL. THE 3.44 ACRES WAS REZONED LAST YEAR. THERE HAS BEEN AN APPEAL FILED WITH 8TH DISTRICT COURT IN REGARDS TO THE REZONE. WHEN REVIEWED WITH THE ATTORNEY'S OFFICE THE FILING OF A PETITION DOES NOT STAY THE DECISION OF THE LAND USE AUTHORITY. THIS MEANS POTENTIAL LITIGATION DOESN'T MEAN WE CAN'T MAKE A DECISION OR THAT A DECISION HAS TO BE MADE. PLANNING COMMISSION HELD A PUBLIC HEARING. THE MAIN CONCERNS INCLUDE THE REZONE SHOULD NOT HAVE BEEN APPROVED, THE REZONE IS BEING APPEALED, AND THE ACCESS BISECTS THE NEIGHBOR'S PROPERTY. THE PROPERTY IS ACCESSED OFF BRUSH CREEK ROAD TO THE NORTH ACROSS ANOTHER PROPERTY. THEY HAVE INDICATED THERE IS A RECORDED EASEMENT FOR THIS

ACCESS. IT IS A PRIVATE ROAD. IT HAS BEEN COMMENTED THAT THE APPLICANT HAS BEEN RUNNING HIS BUSINESS FROM THIS LOCATION FOR YEARS AND IS NOW TRYING TO OBTAIN COMPLIANCE. PLANNING COMMISSION RECOMMENDED APPROVAL WITH A THREE TO TWO VOTE.

A CUP WILL AUTHORIZE THE ACTIVITIES INTENDED FOR THE PROPERTY. MATT CAZIER CAN NOT SPEAK AS TO WHAT HAS BEEN TAKING PLACE IN THE PAST. THE OFFICE RECEIVED A COMPLAINT YEARS AGO. THE APPLICANT WAS CONTACTED VIA A LETTER AT THAT TIME AND RESPONDED THAT THEY WERE NOT RUNNING A BUSINESS ON THE LOCATION. THERE ISN'T ANY PROOF THAT THEY WERE AND YOU CANNOT SEE THE PROPERTY FROM THE ROAD. THERE HAVE NOT BEEN ANY COMPLAINTS SINCE. THEY ARE CURRENTLY PUTTING UP A BUILDING WITH A BUILDING PERMIT ACCORDING TO THE COMMERCIAL ZONING OF THE PROPERTY. THEY ARE STILL WORKING OUT THE ISSUES TO OBTAIN APPROVAL FROM THE FIRE DISTRICT.

KIMBERLY KARREN ADDRESSED THE MEETING. SHE IS THE ADJACENT PROPERTY OWNER AND THE ACCESS GOES ACROSS HER PROPERTY. SHE IS VERY CONCERNED WITH THE APPROVAL OF THIS. THE NOISE IN THIS AREA ECHOES THROUGH THE HILLS. THERE WILL BE AN INCREASE IN THE NOISE, THE DUST, AND THE HEAVY TRUCK TRAFFIC. SHE UNDERSTANDS THEY INTEND TO USE SEMIS. BRUSH CREEK IS NOT WIDE ENOUGH FOR TRUCKS TO TURN OFF ONTO THIS ACCESS. THE ADDITIONAL TRUCK TRAFFIC WILL CAUSE BRUSH CREEK TO HAVE TO BE WIDENED WHICH WILL REQUIRE MORE OF HER PROPERTY. SHE HAS FILED THE APPEAL REGARDING THE REZONE AND IS WAITING TO HEAR OF A COURT DATE. THE CUP IS CONTINGENT UPON THE REZONE AND IT IS BEING CONTESTED.

COMMISSIONER MCKEE ASKED LEGAL COUNSEL ABOUT THE REZONE APPEAL. JON STEARMER RESPONDED. IF IT IS A PERMITTED USE WITHIN THE ZONE IT IS ALLOWED AND THERE ISN'T ANYTHING TO BE DONE TO RESTRICT THOSE SUCH USES. A CONDITIONAL USE PERMIT CAN BE DENIED IF THEY DO NOT MEET THE REQUIREMENTS. THERE MUST BE A REASON TO DENY. THERE IS NO CURRENT LAWSUIT SERVED TO THE COUNTY. THERE ISN'T ANY LITIGATION TO ADDRESS UNTIL THE COUNTY IS SERVED. THE COMMISSIONERS CAN APPROVE IF THE CUP CAN MEET THE NECESSARY REQUIREMENTS. THE COMMISSION CAN ALSO CHOOSE TO TABLE FOR A PERIOD OF TIME. THE OPTIONS ARE NOT LIMITED DUE TO POTENTIAL LITIGATION. COMMISSIONER RAYMOND ASKED HOW LONG SUCH A PROCESS COULD TAKE. JON STEARMER REPLIED IT WILL TAKE AS MUCH TIME AS NECESSARY. IT CAN BE PAINFULLY SLOW AND A LENGTHY PROCESS. THERE IS NO WAY TO KNOW WHAT KIND OF TIMELINE THERE WILL BE IN THE APPEAL PROCESS.

COMMISSIONER STRINGER ASKED IF CODY BULLOCK WAS AVAILABLE AND HE WAS NOT IN ATTENDANCE. COMMISSIONER STRINGER THEN ASKED MATT CAZIER IF HE HAD ANY IDEA HOW MUCH DAMAGE COULD BE SUSTAINED BY THE APPLICANT IF THIS IS NOT APPROVED TODAY. MATT COULD NOT ANSWER.

JON STEARMER ALSO NOTED IF THERE IS AN ISSUE WITH THE ROAD ACCESS AS INDICATED, THE CUP DOES NOT GIVE HIM THE ABILITY TO EXPAND THE EASEMENT OR IMPACT BRUSH CREEK ROAD. KIMBERLY KARREN WAS ASKED WHAT THE WIDTH OF THE ROAD WAS AND SHE DID NOT KNOW FOR SURE BUT GUESSED ABOUT 60 FEET.

JEREMY RAYMOND ALSO TOOK A MOMENT TO ADDRESS THE MEETING. THE JENSEN FIRE CHIEF HAS BEEN DOING THE SITE PLANS FOR THE JENSEN AREA. HE KNOWS THERE HAVE BEEN ISSUES BUT DOES NOT HAVE ANY UPDATED INFORMATION. MATT NOTED THEY HAVE NOT SEEN AN APPROVAL LETTER. JEREMY INFORMED THE COMMISSIONERS OF THE EXTRA DIFFICULTY IN COMMERCIAL AND INDUSTRIAL BUILDING IN THESE AREAS. THERE ARE VERY LITTLE UTILITIES IN THIS AREA. THIS IS ALSO DIFFICULT BECAUSE IT IS AN ISLAND.

COMMISSIONER STRINGER MOVED TO TABLE THE CUP PENDING APPROVAL FROM THE FIRE DISTRICT FOR THE BUILDING AND AN OPPORTUNITY TO HEAR FROM CODY BULLOCK IN REGARDS TO THE CUP.

MATT CLARIFIED THAT ONCE THEY RECEIVE A LETTER FROM THE FIRE DISTRICT AND CODY BULLOCK CAN RESPOND, THEY ARE TO REVISIT THE ITEM. THIS IS CORRECT.

COMMISSIONER RAYMOND SECONDED. MOTION PASSED UNANIMOUSLY.

ROBERT BARNHILL ALSO NOTED THAT SINCE THIS IS A TABLED ITEM THE NEIGHBORS AND PUBLIC WILL NOT BE NOTIFIED AGAIN. THEY WILL NEED TO WATCH THE COMMISSION AGENDAS TO SEE WHEN THIS ITEM WILL BE BROUGHT BACK UP. THE COMMISSION AGENDAS ARE POSTED BY 11 AM EVERY FRIDAY.

6. AMERICAN FABRICATION INC. – A CUP FOR A TEMPORARY MAN CAMP FACILITY ON PROPERTY OWNED BY BERT DELAMBERT, LOCATED AT 58000 SEEP RIDGE ROAD, UTAH COUNTY, UTAH; SERIAL NUMBER 11:101:0001.

THE SITE PLAN SHOWS TEN DWELLING UNITS WITH A MAXIMUM OF 42 INDIVIDUALS. THERE ARE POTABLE WATER TANKS, WASTE DISPOSAL TANKS AND A GENERATOR FOR POWER ON THE 1.2 ACRE SITE PLANNED FOR THE CAMP. THE UNITS ARE VERY SIMPLE WITH TWO BEDROOMS. THERE IS A SIMILAR CAMP FURTHER SOUTH ON THIS PROPERTY. BOTH CAMPS' INHABITANTS WILL BE WORKING FOR RED LEAF. PLANNING COMMISSION RECOMMENDED APPROVAL WITH THE CONDITIONS TO FOLLOW ALL CUP AND MAN CAMP REGULATIONS, PUT A RECLAMATION BOND IN PLACE, APPROVAL FROM TRI COUNTY HEALTH AND LAPSE AT 2.5 YEARS. THESE ARE THE SAME CONDITIONS AS THE MAN CAMP TO THE SOUTH.

COMMISSIONER RAYMOND MOVED TO APPROVE THE CUP WITH THE RECOMMENDED CONDITIONS AS PRESENTED. COMMISSIONER STRINGER SECONDED. MOTION PASSED UNANIMOUSLY.

SUBDIVISIONS

7. GREG & YVONNE GARDNER – REQUESTING RECONSIDERATION ON STIPULATIONS OF THE FINAL PLAT APPROVAL FOR THE MOUNTAIN VIEW 3 LOT STANDARD SUBDIVISION LOCATED AT 7531 AND 7469 NORTH SAWTOOTH COVE ROAD, VERNAL, UTAH; SERIAL NUMBERS 03:058:0011 & 03:033:0078.

THE APPLICANTS ARE REQUESTING APPROVAL OF A NEW LOT AND A VARIANCE TO THE ROAD STANDARDS. CURRENTLY, THEY HAVE A TEN ACRE RECTANGULAR PROPERTY WITH A FIVE ACRE SQUARE PROPERTY TO THE NORTH. THEY WOULD LIKE TO SPLIT THE TEN ACRES INTO TWO FIVE ACRE LOTS. THE NORTHERN FIVE ACRES IS A BUILDABLE LOT AS THEY ACCESS IT ACROSS THE NORTHERN PROPERTY LINE OF THE TEN ACRES. THEY HAD APPLIED FOR A FLAG LOT IN ORDER TO SPLIT THE TEN ACRES. AFTER REVIEW, THESE PLANS WERE CHANGED. THEY ACCESS THE NORTHERN FIVE ACRES VIA A PRIVATE ROAD ON THE EAST SIDE OF THE TEN ACRE PROPERTY. THEY WOULD LIKE TO USE THE SAME ACCESS FOR THE LOT THAT WOULD BE SPLIT OUT OF THE TEN ACRES. USING THIS PRIVATE ROAD THEY MUST APPLY AS A SUBDIVISION. THEY ARE REQUESTING A VARIANCE SO THEY DO NOT HAVE TO MAKE ANY CHANGES TO THE PRIVATE ROAD, WHICH IS ON THEIR PROPERTY AND PROVIDES ACCESS FOR SEVERAL HOMES FURTHER NORTH. THE PRIVATE ROAD COMES OFF A COUNTY ROAD. THE COUNTY ROAD IS 20 FEET WIDE WHILE THE PRIVATE DRIVE IS ABOUT 15 FEET WIDE. THIS IS A VARIANCE FROM THE TYPICALLY REQUESTED 36 FOOT WIDE ASPHALT ROAD STANDARD. THE ACCESS TO THE NORTHERN FIVE ACRES WAS APPROVED LAST YEAR BUT THE APPLICANT HAD BEEN OUT OF TOWN AND FELT THE REQUIREMENT FOR THE UPGRADE OF THE ROAD SHOULD BE RECONSIDERED. PLANNING COMMISSION RECOMMENDED APPROVAL OF THE REQUEST TO KEEP THE PRIVATE DRIVE AS IS WITH A THREE TO TWO VOTE.

YVONNE GARDNER ADDRESSED THE MEETING CLARIFYING THEY ARE BUILDING A HOME ON THE NORTHERN FIVE ACRES. THEY PLAN TO SPLIT THE TEN ACRES AND SELL THE EASTERN HALF. ALL THREE LOTS WILL BE BUILDABLE. THERE ARE AS MANY AS TEN HOMES FURTHER NORTH USING THE PRIVATE DRIVE FOR ACCESS.

COMMISSIONER RAYMOND NOTED HE IS OVER THE ROAD DEPARTMENT AND THEY HAVE TRIED VERY HARD TO RAISE THE ROAD STANDARDS IN THE COUNTY AND SOMETIMES A SUBJECTIVE CALL IS NECESSARY.

COMMISSIONER RAYMOND MOVED TO APPROVE THE RECONSIDERATION NOTING THAT AT SOME POINT THE PRIVATE DRIVE MAY HAVE TO BE IMPROVED TO HANDLE THE ADDITIONAL TRAFFIC. COMMISSIONER MCKEE SECONDED.

JEREMY RAYMOND COMMENTED THEY STILL HAVE TO MEET FIRE CODE REQUIREMENTS. THEY MUST HAVE A 20 FOOT TRAVEL SURFACE TO ACCOMMODATE FIRE EQUIPMENT. THIS IS A UNIQUE SITUATION. THEY DID THE WILDLAND FIRE INSPECTION FOR THE NEW HOME BEING BUILT ON THE NORTHERN FIVE ACRES. IF AND WHEN THERE IS A WILDLAND FIRE IN THE AREA, THIS PRIVATE DRIVE WILL BE NEEDED.

MATT CAZIER NOTED THE PRIVATE DRIVE IS ABOUT 200 FEET LONG. WHEN ASKED, COMMISSIONER RAYMOND REPLIED THE COUNTY WILL NOT BE WIDENING THE ROAD FOR THE RESIDENTS.

COMMISSIONER RAYMOND WITHDREW HIS ORIGINAL MOTION AND MOVED TO APPROVE THE VARIANCE REQUIRING A 20 FOOT WIDE TRAVEL SURFACE. COMMISSIONER STRINGER SECONDED. MOTION PASSED UNANIMOUSLY.

FEE WAIVER REQUEST

8. ASHLEY VALLEY WATER AND SEWER – REQUESTING BUILDING PERMIT FEES BE WAIVED FOR THEIR NEW WATER TREATMENT PLANT

THE AVW&S DISTRICT IS UPGRADING THE PLANT AND ADDING NEW BUILDINGS. THEY PROVIDED A WRITTEN REQUEST TO WAIVE THE BUILDING PERMIT FEES.

COMMISSIONER STRINGER MOVED TO APPROVE THE FEE WAIVER REQUEST AS PRESENTED. COMMISSIONER RAYMOND SECONDED. MOTION PASSED UNANIMOUSLY.

BOARD APPOINTMENTS

ADJOURN: MEETING ADJOURNED AT 12:40 P.M.


MICHAEL MCKEE, CHAIR


MICHAEL W. WILKINS, CLERK-AUDITOR

